

EXHIBIT 2



IN THE SUPREME COURT OF BERMUDA

CIVIL JURISDICTION

COMMERCIAL LIST

2010:454

B E T W E E N :

KINGATE GLOBAL FUND LIMITED (IN LIQUIDATION)

First Plaintiff

KINGATE EURO FUND LIMITED (IN LIQUIDATION)

Second Plaintiff

and

KINGATE MANAGEMENT LIMITED

First Defendant

FIM LIMITED

Second Defendant

FIM ADVISERS LLP

Third Defendant

FIRST PENINSULA TRUSTEES LIMITED (AS TRUSTEE OF THE ASHBY TRUST)
Fourth Defendant

PORT OF HERCULES TRUSTEES LIMITED (AS TRUSTEE OF THE EL PRELA TRUST)
Fifth Defendant

ASHBY HOLDING SERVICES LIMITED

Sixth Defendant

EL PRELA GROUP HOLDING SERVICES LIMITED

Seventh Defendant

MR CARLO GROSSO

Eighth Defendant

MR FEDERICO CERETTI

Ninth Defendant

WRIT OF SUMMONS (GENERAL FORM)

ELIZABETH THE SECOND, by the Grace of God, of the United Kingdom of Great Britain and Northern Ireland and of Our other realms and territories Queen, Head of the Commonwealth, Defender of the Faith.

TO: KINGATE MANAGEMENT LIMITED
Hemisphere House
9 Church Street
P.O. Box HM951
Hamilton HM DX
Bermuda

FIM LIMITED
Buchanan House
1st Floor
3 St. James's Square
London, SW1Y 4JU
England

FIM ADVISERS LLP
Buchanan House
3 St James Square
London
SW1Y 4JU
England

FIRST PENINSULA TRUSTEES LIMITED (AS TRUSTEE OF THE ASHBY TRUST)
80 Broad Street
Monrovia
Republic of Liberia

PORT OF HERCULES TRUSTEES LIMITED (AS TRUSTEE OF THE EL PRELA TRUST)
Palm Grove House
PO Box 438
Wickhams Cay 1
Road Town
Tortola
British Virgin Islands VG 1110

ASHBY HOLDING SERVICES LIMITED
Palm Grove House
PO Box 438
Wickhams Cay 1
Road Town
Tortola
British Virgin Islands VG 1110

**EL PRELA GROUP HOLDING SERVICES
LIMITED**
Palm Grove House
PO Box 438
Wickhams Cay 1
Road Town
Tortola
British Virgin Islands VG 1110

MR CARLO GROSSO
22 Cathcart Road
London
SW10 9NN
England

MR FEDERICO CERETTI
37 Queens Gate Gardens
London
SW7 5RR
England

We command you that within 14 days after the service of this writ on you, inclusive of the day of service, you do cause an appearance to be entered for you in an action at the suit of KINGATE GLOBAL FUND LIMITED (IN LIQUIDATION) and KINGATE EURO FUND LIMITED (IN LIQUIDATION), and take notice that in default of your so doing the First Plaintiff and Second Plaintiff may proceed therein, and judgment may be given in your absence.

Witness the Honourable Richard Ground, Q.C., Chief Justice of Our said Court the 22nd day of December 2010.

NOTE – This writ may not be served more than twelve calendar months after the above date unless renewed by order of the Court.

DIRECTIONS FOR ENTERING APPEARANCE

The Defendants may enter an appearance in person or by an attorney either (1) by handing in the appropriate forms, duly completed, at the Registry of the Supreme Court in Hamilton, Bermuda, or (2) by sending them to the Registry by post.

Plaintiffs' claim is for:

1. The recovery of overpaid fees from the First, Fourth, Fifth, Sixth, and/or Seventh Defendants, as ultimate recipients of the fees, and/or from the Eighth and Ninth Defendants, as ultimate recipients of the fees, and/or ultimate beneficial owners of shares in the First Defendant, on the basis of unjust enrichment;
2. Alternatively, for a declaration that the First and Second Plaintiffs retain legal title in the overpaid fees and/or their traceable proceeds;
3. Alternatively, for a declaration that the First, Fourth, Fifth, Sixth, Seventh, Eighth and/or Ninth Defendants hold the overpaid fees, together with their traceable proceeds, on trust for the First and Second Plaintiffs;
4. Damages for breach of contractual and tortious duties of care and/or negligent misstatement, against the First Defendant;
5. Damages for breach of tortious duties of care and/or negligent misstatement, against the Second and Third Defendants;
6. Damages for breach of tortious duties of care and/or negligent misstatement against the Eighth and Ninth Defendants.

Dated this _____ day of _____, 2010.

This Writ was issued by Sedgwick Chudleigh of the E.W. Pearman Building, 20 Brunswick Street, Hamilton HM 10, Bermuda, for the First and Second Plaintiffs, whose address for service is 20 Brunswick Street, Hamilton HM 10, Bermuda.

This Writ was served by me at on the First Defendant
on the day of , 2010.

This Writ was served by me at on the Second
Defendant on the day of , 2010.

This Writ was served by me at on the Third Defendant
on the day of , 2010.

This Writ was served by me at on the Fourth Defendant
on the day of , 2010.

This Writ was served by me at on the Fifth Defendant
on the day of , 2010.

This Writ was served by me at on the Sixth Defendant
on the day of , 2010.

This Writ was served by me at on the Seventh
Defendant on the day of , 2010.

This Writ was served by me at on the Eighth Defendant
on the day of , 2010.

This Writ was served by me at on the Ninth Defendant
on the day of , 2010.

IN THE SUPREME COURT OF BERMUDA

CIVIL JURISDICTION

COMMERCIAL LIST

2010: 464

BETWEEN:

KINGATE GLOBAL FUND LIMITED (IN LIQUIDATION) First Plaintiff

KINGATE EURO FUND LIMITED (IN LIQUIDATION) Second Plaintiff
and

KINGATE MANAGEMENT LIMITED First Defendant

FIM LIMITED Second Defendant

FIM ADVISERS LLP Third Defendant

FIRST PENINSULA TRUSTEES LIMITED (AS TRUSTEE OF THE
ASHBY TRUST) Fourth Defendant

PORT OF HERCULES TRUSTEES LIMITED (AS TRSUTEE OF THE EL
PRELA TRUST) Fifth Defendant

ASHBY HOLDING SERVICES LIMITED Sixth Defendant

EL PRELA GROUP HOLDING SERVICES LIMITED Seventh Defendant

MR CARLO GROSSO Eighth Defendant

MR FEDERICO CERETTI Ninth Defendant

WRIT OF SUMMONS (GENERAL FORM)



SEDGWICK CHUDLEIGH

E.W. Pearman Building
20 Brunswick Street
Hamilton, HM 10
Bermuda

Attorneys for the First and Second Plaintiffs

2010 DEC 22 AM 11:18